

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
SEC German Hill Road and		
48 th Street	*	ZONING COMMISSIONER
12 th Election District		
7 th Councilmanic District	*	OF BALTIMORE COUNTY
(6917 German Hill Road)		
	*	CASE NO. 99-490-SPH
Leona Gentile		
Petitioner	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 6917 German Hill Road in the North Point subdivision of eastern Baltimore County. The Petition was filed by Leona Gentile, property owner. Special Hearing relief is requested to approve a non-density transfer of .175 acres to an adjacent property. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was David Gentile, son of Leona Gentile, Property Owner/Petitioner. Also present was George Widener, the individual to whom the parcel at issue is to be transferred. Also present was Lorne T. Hastings, the property line surveyor who prepared the site plan. There were no protestants or other interested persons present.

Testimony and evidence was presented that Mrs. Gentile owns the subject property, which is a corner lot located adjacent to the intersection of German Hill Road and 48th Street. Her lot is slightly less than ½ acre in area, zoned D.R.5.5. The lot is improved with an existing two-story single family dwelling known as 6917 German Hill Road and a detached garage. The

ORIGINAL RECEIVED FOR FILING

Date 8/12/99

By [Signature]

subject parcel under consideration in this case is the rear portion of that lot. That parcel is 7,625 sq. ft. in area (.175 acres). It represents the rear yard of the Gentile lot and is unimproved.

Mrs. Gentile is elderly and is no longer able to maintain her large yard area. She, therefore, proposes to convey the subject parcel to a neighbor, George Widener. Mr. Widener owns an adjacent lot known as 6919 German Hill Road. As shown on the plan, access to the Widener lot is by way of a shared driveway from German Hill Road. Mr. Widener indicated that acquisition of a portion of the Gentile lot would provide him with a larger yard area and insure that he would have an unobstructed view. The proposed transfer will not involve the conveyance of any density rights.

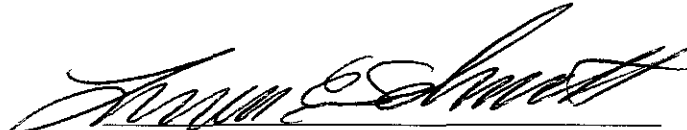
As noted above, there were no protestants present. Additionally, there were no adverse Zoning Advisory Committee comments. In fact, the Office of Planning supports the request.

Based upon the testimony and evidence, I am persuaded to grant the Petition for Special Hearing. In my judgment, conveyance of a portion of the Gentile lot as shown on the plan is appropriate. Clearly, there will be no detrimental impacts to the surrounding locale. Moreover, the proposed transfer appears to suit the purposes of both property owners.

Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, the Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 15th day of August, 1999, that the Petition for Special Hearing to approve a non-density transfer of .175 acres to an adjacent property, in accordance with the representations made on Petitioner's Exhibit 1, be and is hereby GRANTED.

IT IS FURTHER ORDERED that any party has the right to file an appeal within thirty (30) days of the date of this Order.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

ORDER RECEIVED FOR FILING
Date 8/12/99
By R. J. Jenson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 12, 1999

Mrs. Leona Gentile
6917 German Hill Road
Baltimore, Maryland 21222

Re: Petition for Special Hearing
Case No. 99-490-SPH
Property: 6017 German Hill Road

Dear Mrs. Gentile:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

c: Mr. George Widener
6919 German Hill Road
Baltimore, Maryland 21222

Mr. Lorne T. Hastings
41 Eastship Road
Baltimore, Maryland 21222

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 6917 German Hill Road
which is presently zoned DR-5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

a Non Density transfer of 0.175 acres to an adjacent property

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Leona Gentile

Name - Type or Print

Signature

Name - Type or Print

Signature

6917 German Hill Rd

Address

Baltimore

City

MD

State

Telephone No.

21222

Zip Code

Representative to be Contacted:

LORNE T. HASTINGS

Name

41 EASTSHIP RD

Address

Baltimore

City

MD

State

410-288-5663

Telephone No.

21222

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

jam

Date

6.3.99

Case No. 99-490-SPH

REV 9/15/98

ORDER RECEIVED FOR FILING
Date 6/12/99
By [Signature]

Zoning Description for 6917 German Hill Road

Beginning at a point at the intersection of the South side of German Hill Road (50' wide) and the East side of 48th Street (30' wide).

- 1.) S13°08'27"E 26.97'
- 2.) N75°55'37"E 2.00'
- 3.) S13°08'27"E 191.28'
- 4.) S40°19'49"E 28.43'
- 5.) N71°38'33"E 64.32'
- 6.) N13°08'27"W 254.98'
- 7.) by a curve to the left, R=875.00', L=59.25'
- 8.) S69°47'47"W 6.16'
- 9.) S28°18'37"W 15.00'

to the place of beginning. Containg 19,369 sq.ft. more or less or 0.444 of an Acre of land more or less.

Known as 6917 German Hill Road and located in the 12th Election District, 7th Councilmanic District.

490

99-490-5PH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

490

No. 065389

DATE 6-3-99 ACCOUNT F-1-6150

AMOUNT \$ 50.00

RECEIVED FROM: LEONA GENTILE 6917 GREENMAN
HILL RD.
(030) SPH.

FOR: 99-490-SPH

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

JCM

PAID RECEIPT

PROCESS ACTUAL TIME
6/04/1999 6/03/1999 14:22:10
REF 0001 CASHIER JRIC JMR BROMER
Dept 5 528 ZONING VERIFICATION
Receipt # 103065
CR NO. 065389

Receipt Tot 50.00
50.00 DK
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #98-490-SPH
8917 German Hill Road
SEC 7 German Hill Road and
48th Street

12th Election District
7th Councilmatic District

Legal Overlay(s)

Leora Gentile

Special Hearing: to approve a non-density transfer of 0.175 acre to an adjacent property.

Hearing: Friday, July 23, 1999 at 10:00 a.m. in Room 407 County Court Bldg., 401 Bopsey Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Contact the Zoning Commissioners' Office at (410) 887-4388.

(2) For information concerning the "File and/or Hearing" Contact the Zoning Review Office at (410) 887-3391.

7/19/98 July 8 C323988

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/8/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/8/, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 99-490-SPH

Petitioner/Developer: _____

LEONA GENTILE

Date of Hearing/Closing: 8-12-99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

6917 GERMAN HILL ROAD

The sign(s) were posted on JULY 28, 1999
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

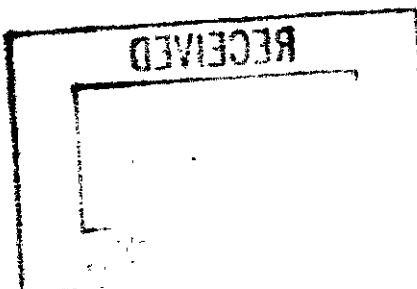
(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



ZONING NOTICE

CASE # 99-49C-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 407 COUNTY COURTS
PLACE BUILDING, 401 ROSLEY AVE.
AUGUST 12, 1999

DATE AND TIME AT 9:00 A.M.

REQUEST SPECIAL HEARING-TO

APPROVE A NON-DENSITY

TRANSFER OF 0.175 ACRE

TO AN ADJACENT

PROPERTY.

IF YOU HAVE ANY QUESTIONS OR NEED MORE INFORMATION, PLEASE CONTACT THE ZONING COMMISSIONER
AT 410-516-3300 OR 410-516-3301

FOR MORE INFORMATION, PLEASE VISIT OUR WEBSITE AT
WWW.TOWSONMD.GOV

ZONING NOTICE

CASE # 99-49C-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 407 COUNTY COURTS
PLACE BUILDING, 401 ROSLEY AVE.
AUGUST 12, 1999

DATE AND TIME AT 9:00 A.M.

REQUEST SPECIAL HEARING-TO

APPROVE A NON-DENSITY

TRANSFER OF 0.175 ACRE

TO AN ADJACENT

PROPERTY.

IF YOU HAVE ANY QUESTIONS OR NEED MORE INFORMATION, PLEASE CONTACT THE ZONING COMMISSIONER
AT 410-516-3300 OR 410-516-3301

FOR MORE INFORMATION, PLEASE VISIT OUR WEBSITE AT
WWW.TOWSONMD.GOV



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 21, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-490-SPH
6917 German Hill Road
SEC German Hill Road and 48th Street
12th Election District – 7th Councilmanic District
Legal Owner: Leona Gentile

Special Hearing to approve a non-density transfer of 0.175 acre to an adjacent property.

HEARING: Friday, July 23, 1999 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a circled "51" below it.

Arnold Jablon
Director

c: Leona Gentile
Lorne T. Hastings

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JULY 8, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
July 8, 1999 Issue – Jeffersonian

Please forward billing to:

Leona Gentile 410-288-6827
6917 German Hill Road
Baltimore, MD 21222

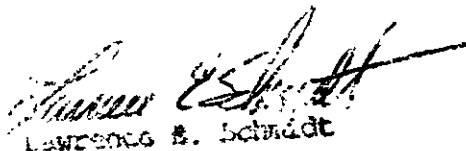
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-490-SPH
6917 German Hill Road
SEC German Hill Road and 48th Street
12th Election District – 7th Councilmanic District
Legal Owner: Leona Gentile

Special Hearing to approve a non-density transfer of 0.175 acre to an adjacent property.

HEARING: Friday, July 23, 1999 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

SE
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: _____

Petitioner: LEONA GENTILE

Address or Location: 6917 GERMAN HILL RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: SAME

Address: _____

Telephone Number: 410-288-6827

Revised 2/20/98 - SCJ

99.490.SPH

ZAC
Comments

99-490 SPH BALTIMORE COUNTY, MARYLAND

for 7/23
P.P.
8/12

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: June 30, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 6917 German Hill Road

INFORMATION:

Item Number: 490

Petitioner: Leona Gentile

Zoning: DR 5.5

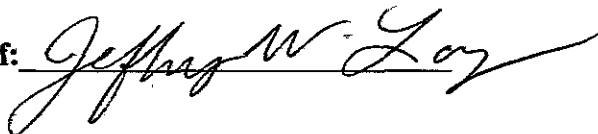
Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the Petition for Special Hearing provided that the request is, in fact, a non-density transfer. If this transfer facilitates development of the Weidner Property, the applicant should be required to provide basic information regarding how the subject property will be accessed. Provision of this information is particularly important given the narrow configuration of the John C. Miller Property, located to the south of the applicant's property.

If there should be any questions or if this office can provide additional information, please contact Brent Flickinger, 7th District Community Planner, at 410-887-3480.

Section Chief:



AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: July 1, 1999

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for June 28, 1999
Item Nos. 489, 490, 492, 493, 495,
496, 498, 499, 500

and

Revised Petition & Plans Received
for CASE NUMBER 98-467-SPHA
St. Joseph Medical Center
7601 Osler Drive

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

July 9, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 21, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

486, 487, 488, 489, 490, 491, 492, 493, 494, 495,
496, 497, 498, 499, 500

REVIEWER: LT. ROBERT C. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MB-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 6, 1999

Mr. Lorne T. Hastings
41 Eastship Road
Baltimore, MD 21222

Dear Mr. Hastings:

RE: Case Number 99-490-SPH, 6917 German Hill Road

The above matter, previously scheduled for July 23, 1999, has been postponed at your request. The case has been **rescheduled for Thursday, August 12, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. The new hearing date, time, and location should be affixed to the hearing sign as quickly as possible.

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:scj

C: Leona Gentile

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Lorne T Hastings, R.L.S.
41 Fastship Road
Baltimore, Maryland 21222
(410) 288-5663

June 30, 1999

7/1/99
8
SJ

Mr. Arnold Jablon
Development Processing
County Office Building
111 West Chesapeake Ave.
Towson, Md. 21204

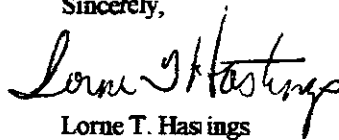
Re: Case number 99-490-SPH; 6917 German Hill Road

Dear Mr. Jablon:

Please reschedule the Zoning Hearing, set for July 23, 1999, until after August 9, 1999. Both Ms. Gentile and I have vacations during this period.

If this will create a problem, please call me as soon as possible.

Sincerely,


Lorne T. Hastings

99-1776

RE: PETITION FOR SPECIAL HEARING
6917 German Hill Road,
SEC German Hill Rd and 48th St
12th Election District, 7th Councilmanic

Legal Owner: Leona Gentile
Petitioner(s)

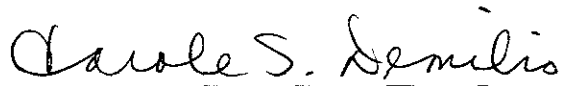
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 99-490-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

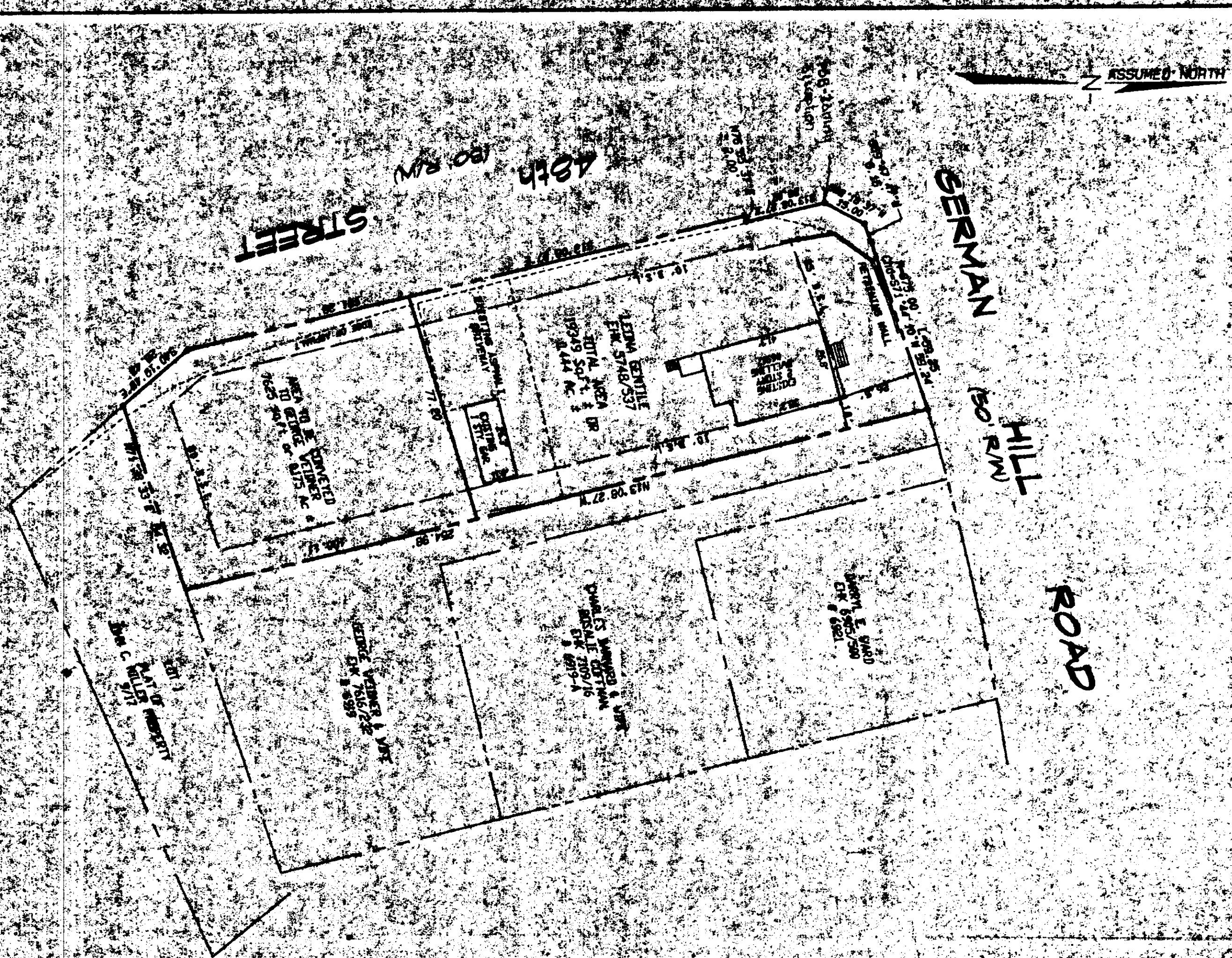

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

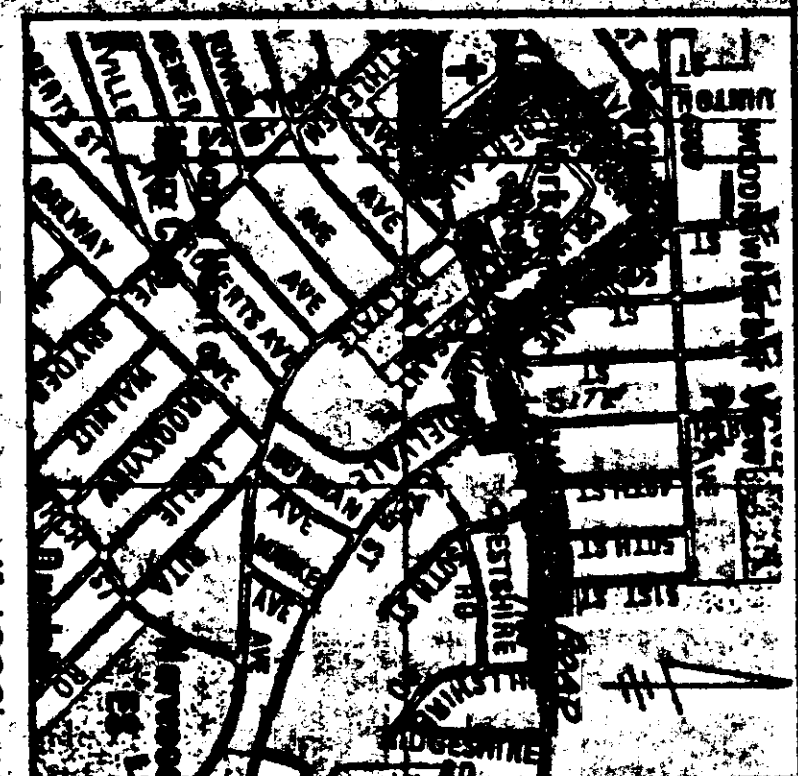
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd July day of ~~June~~, 1999 a copy of the foregoing Entry of Appearance was mailed to Lorne T. Hastings, 41 Eastship Road, Baltimore, MD 21222, representative for Petitioner.


PETER MAX ZIMMERMAN



440



NOTES

1. OWNER: LEONA GENTILE
217 GERMAN HILL ROAD
BALTIMORE, MD 21222
2. ZONED BR-5-S
3. 21st BOUNCILMANIC DISTRICT
4. 12th ELECTION DISTRICT
5. THE SITE HAS PUBLIC WATER AND SEWER.
6. THIS SITE IS NOT IN THE CRITICAL BAY AREA.
7. THERE ARE NO PRIOR ZONING CASES.
8. SENSITIVE CALCULATIONS:
TOTAL AREA - 19,369 SQ. FT.
DENSITY UNITS AVAILABLE - 19,369 / 4,000 = 5 UNITS

Ret No.



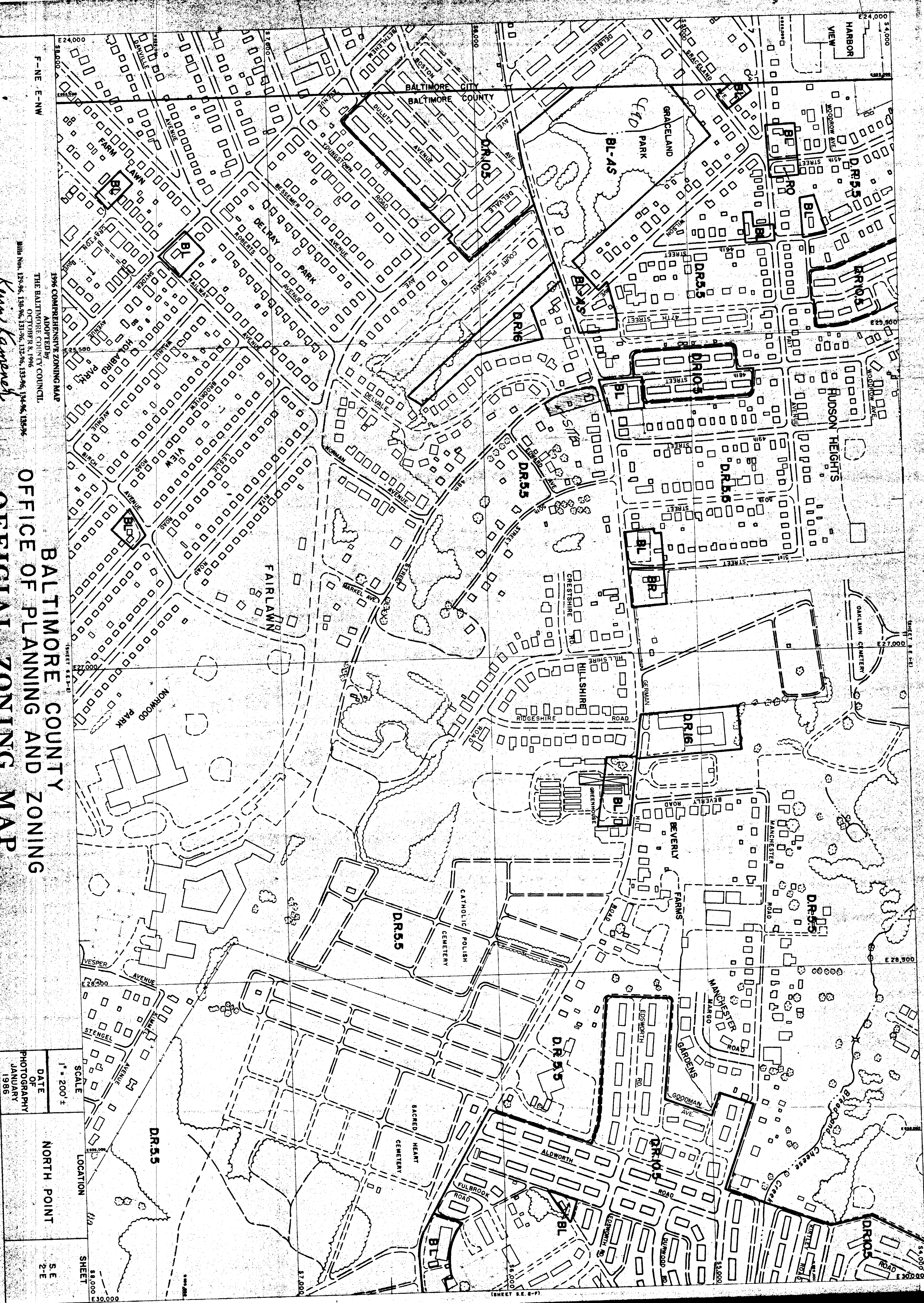
**PLAN TO ACCOMPANY A
PETITION FOR A SPECIAL HEARING
FOR THE LEONA GENTILE PROPERTY
697 GERMAN HILL ROAD
BALTIMORE, MD, 21224**

GRAPHIC SCALE 1"=30'



HASTINGS SURVEYING			
41 EASTSHIP ROAD BALTIMORE, MD. 21202			
PHONE: (410) 286-3663 FAX: (410) 286-3311			
DATE: MAY 1, 1999	SCALE: 1" = 30'		
1518	LOC: 43-B-2	B. DUEZ	

99-490.SPH



SCALE	LOCATION	SHEET
1" = 200'	NORTH POINT	S.E. 2-E
DATE	PHOTOGRAPHY	
JANUARY 1985		

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
BILL NOS. 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Karin Kameny
Chairman, County Council

THIS MAP HAS BEEN REVIEWED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

99-490-SPH